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August 24, 2023

Via ECF:

Hon. Katherine Polk Failla
United States District Judge
Southern District of New York
40 Foley Square, Room 2103
New York, New York 10007

Re: **Kira Boyle v. New York City Transportation Authority**
Dkt. No. 21-cv-10251

Your Honor:

This firm formerly represented the Plaintiff, Kira Boyle (“Plaintiff”), in the above-referenced action. We are in receipt of the letter filed by Plaintiff’s new counsel, Laura M. Trachtman (Dkt. No. 58). Several statements in Plaintiff’s letter concerning our firm’s representation of Ms. Boyle are inaccurate. As such, we respectfully request an opportunity to respond given the accusations made against our firm and me.

New York Rules of Professional Conduct (“RPC”) 1.6(b)(5) permits a lawyer to disclose “confidential information” to the extent reasonably necessary including to defend against an accusation of wrongdoing. Owing to the issues raised in Plaintiff’s letter (Dkt. No. 58), any response by our firm would be permitted under RPC 1.6(b)(5).

Accordingly, Plaintiff respectfully requests until September 1, 2023, to respond to Plaintiff’s letter (Dkt. No. 58).

We thank the Court for its time and consideration of the herein request.

Respectfully,
PHILLIPS & ASSOCIATES

/s/ _____
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Cc (via ECF): all counsel of record